



Jeffrey K. Martin, Esquire*

Timothy J. Wilson, Esquire*

**Licensed in DE, PA and NJ*

1508 Pennsylvania Avenue
Wilmington, DE 19806
Telephone: (302) 777-4681
Facsimile: (302) 777-5803
www.martinandwilson.com

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twilson@martinandwilson.com

-VIA ELECTRONIC FILING-

Hon. Joseph J. Farnan, Jr., Judge
U.S. District Court for the District of Delaware
844 North King Street, Room 4209
Lock Box 18
Wilmington, DE 19801

RE: Fitzgibbon v. ING, C.A. 07-735 (JJF)

Dear Judge Farnan:

Please be advised that the parties have reached an amicable resolution to the above-captioned case. We will be filing with the Court a stipulated order to that end as well as a stipulation of dismissal for the Court's approval.

In connection with this case, oral argument for Plaintiffs' Motion for Conditional Class Certification is currently scheduled for September 12, 2008 at 2:00 p.m. Plaintiffs respectfully request that this hearing be removed from the Court's calendar.

Counsel is available at Your Honor's convenience should you like to discuss this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Timothy J. Wilson', is written over the typed name.

TIMOTHY J. WILSON

TJW

cc: David Woolf, Esq.